



Attorney Docket #: BiT011

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Ricardo H. Bruce et al.	Confirmation No: 2817
Serial No: 09/819,515	Examiner: Etienne Pierre Leroux
Filed: March 27, 2001	Art Unit: 2161
Title: METHOD AND APPARATUS FOR DATA RECOVERY	Atty. Docket No.: BiT011

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed 14 May 2004, please amend this Application as follows and consider the remarks set forth below.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

Adjustment date: 04/18/2005 SDIRETA1
02/03/2005 KWATSON 00000008 500374 09819515
01 FC:1202 400.00 CR

02/03/2005 KWATSON 00000008 500374 09819515

01 FC:1202 400.00 DA

04/22/2005 SDIRETA1 00000001 500374 09819515
01 FC:2202 150.00 DA

FACSIMILE COVER PAGE
(2 total pages; including this page)



ATTN: Refund Department, United States Patent & Trademark Office
FAX: (703) 308-5077
FROM: BiTMICRO Networks, Inc.
Calvin Chyo, Legal Assistant
DATE: March 2, 2005
RE: Request for Refund for U.S. Patent Application 09/819,515

Dear Sir/Madam:

I am writing to request a refund of amounts overcharged by the United States Patent & Trademark Office for U.S. Patent Application 09/819,515.

On February 3, 2005, Deposit Account #500374, belonging to the Law Offices of Mikio Ishimaru, was charged the amount of \$400 for claims in excess of twenty filed in my company's above-referenced patent application. The fee code in relation to this charge was 1202, which is used for those with large entity status. We claimed small entity status on this application and thus should have been charged under fee code 2202, which reduces the amount to \$25 per claim in excess of twenty.

In addition, we were charged for eight claims in excess of twenty but should only have been charged for six claims in excess of twenty. We have a total of 29 pending claims in our most recent response. Since 23 claims were pending from a previous response filed on March 26, 2004, we should only have been charged for six additional claims in excess of twenty.

With both the above-mentioned changes, our total charge should be \$150 instead of \$400.

We request that you make the appropriate adjustment of \$250 to Deposit Account #500374 at your earliest convenience.

Regards,


Calvin Chyo
Legal Assistant

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